

Key Events in History of Arkansas River Compact Development

"The meaning of the Arkansas River Compact cannot be fully understood apart from the rich history of controversy over the river, and the early efforts to apportion its waters between the two states." Special Master Arthur L. Littleworth, *Kansas v. Colorado*, Report Vol. I, page 71, July 1994.

Date	Event	Result
1861	Kansas Statehood	
1861	Bessemer and Highline	20 cfs and 40 cfs appropriations respectively
1874	Rocky Ford	112 cfs appropriation
1876	Colorado Statehood	
1879	Kansas ditches	1879-1885 ditches in Western Kansas begin diverting from river.
1884	Catlin and Ft. Lyon	226 cfs and 165 cfs appropriations respectively
1887	Amity, Ft. Lyon, Catlin, and Bessemer	284 cfs, 597 cfs, 97 cfs, and 322 cfs appropriations respectively
1890	Colorado Canal	756 cfs appropriation
1896	Amity	265,552 AF Great Plains Reservoirs appropriation
1901	Kansas v. Colorado, filed by Kansas	First interstate water controversy ever brought in US Supreme Court. Kansas challenges use of water on non-riparian lands in Colorado, asserts entitlement to all natural flows without any human interference. Colorado asserts appropriator's right to divert entire flow of river.
1902	<i>Kansas v. Colorado</i> , 185 U.S. 125	US Supreme Court determines it has jurisdiction over inter-state water controversies.
1907	<i>Kansas v. Colorado</i> , 206 U.S. 46	US Supreme Court announces doctrine of "equitable apportionment" of benefits, but finds that Colorado's use of river had not yet caused significant detriment to Kansas and declines to apportion river flows.
1910	<i>U.S. Irrigating Co. v. Graham Ditch Co. et al.</i> ,	Kansas ditch company sues Colorado ditches in U.S. District Court for adjudication of relative priorities irrespective of Stateline. Case settled in 1916 with Colorado ditches recognizing 1910 priorities for Kansas ditches and paying some damages to those ditches.
1916	<i>Finney County Water Users Assoc. v. Graham Ditch Co. et al</i>	Finney County Water Users Association not satisfied with 1916 settlement and files its own case, similar to 1910 case, in U.S. District Court.
1921-1923	First effort by States to negotiate a Compact	States authorize negotiations and appoint commissioners (Colorado-Delph Carpenter, Kansas-George Knapp) in attempt to negotiate an allocation that would be binding on all water users in both states, at least partially as response to Finney County case.
1921	Arkansas River flooding	Extensive damage from Pueblo to Garden City.
1925	Tentative Compact rejected	Water users in both states reject Knapp-Carpenter proposed compact which would have protected all then existing Colorado uses, Kansas receiving exclusive right to develop a reservoir on the Purgatoire River in Colorado.
1928	<i>Colorado v. Kansas</i> , filed by Colorado	Colorado asks US Supreme Court to enjoin repeated suits by Kansas users regarding relative priorities. Seeks enforcement of

Date	Event	Result
		1907 Supreme Court decision. Kansas asserts significant new use by Colorado. Special Master appointed.
1928	Colorado proposes Caddoa Reservoir Project	Colorado State Engineer Hinderlider proposes and surveys reservoir site to solve flood and allocation problems. Army Corps of Engineers asked to assist with studies.
1933	States stipulate re Caddoa Project	Support Caddoa Project, agree to maintain status quo with provisional allocation of assumed supply of 237,000 AF (77,000 to Kansas, 160,000 AF to Colorado), shortages to be prorated between states, surplus shared 50%-50%.
1936	Caddoa Project authorized	100% federal funding, construction started in 1939 but later delayed during WW II Name changed to John Martin Reservoir.
1943	<i>Colorado v. Kansas</i> , 320 U.S. 383	US Supreme Court grants injunction and rejects Special Master's recommendation to divide flows on AF basis (1/6 to Kansas, 5/6 to Colorado) since Kansas still has not shown sufficient detriments from Colorado beneficial uses. States are encouraged to resolve differences through negotiation and compact.
1943	John Martin Res. begins fill	first partial storage at John Martin Res. triggers allocation in 1933 stipulation. Interim operation agreements negotiated annually thereafter until Compact ratified.
1945	Congress authorizes States to negotiate Compact	States renew Compact effort
1945	Compact Commissioners appointed	Federal representative: Gen. Hans Kramer (retired Army Corps) Colorado: Henry Vidal (AVDA), Charles Patterson (CWCB), Gail Ireland (retired AG), and Harry Mendenhall. Kansas: George Knapp (DWR), A.B. Mitchell (AG), Roland Tate (Garden City ditches), William Leavitt (U.S. Irrigating Co.)
1946	First Compact Comm. meeting	17 meetings held between Jan. 7, 1946 and Dec. 13-14, 1948
1948	John Martin Reservoir Project completed	Approximately 600,000 AF capacity (340,000 conservation and 260,000 flood control).
1948	Compact negotiations completed	Denver, Colorado Dec. 14, 1948 Compact signed by commissioners from both states and forwarded to Governors and U.S. Sec. of State.
1949	Compact approved by states	Colorado General Assembly (C.R.S. 37-69-101) and Kansas legislature (K.S.A. 82a-520) review and ratify Compact.
1949	Arkansas River Compact effective	Congress consents to Compact on May 31, 1949, 63 Stat. 145 .